TALK OF AN EXTRA SESSION.

GOVERNOR HAS NOT YET DECIDED ON SUCH A STEP.

POSSIBLE ACTION ON FORD BILL-DIS-CUSSES MAYOR'S RAPID TRANSIT VETO -POWER CONFERRED BY MAR-

Albany, May 12 (Special).-Governor Roose-

velt frankly stated to-day that he had received telegrams and letters suggesting that he call a special session of the Legislature for the express purpose of having a rapid-transit bill for New-York considered, but he stated that this proposition was so new to him that he had not yet had time to consider it carefully and form It was rumored to-day that he might sign the

Ford Franchise Tax bill on Tuesday, and then call a special session of the Legislature to make needed amendments to it. It is well known that the bill is not in a form satisfactory to him. He desired some central State authority clothed with power to assess the value of the franchises of the various corporations which would be affected by it if the measure becomes a law. Thus, he would have had the Controller, Attorney-General and Secretary of State, for instance, act as a State Board of Assessment; or, possibly, might have favored the placing of this duty upon the shoulders of the present State Board of Tax Commissioners.

CHIEF OBJECTION TO THE BILL. The most serious objection to the bill in the Governor's opinion was the authority it conferred upon local boards of assessors, who might use it oppressively to assess the value of a fran-But the leading members of the Legislature could not be stirred up to action on the matter, and at the hearing yesterday on the bill the Governor expressed the opinion that every owner of real estate or personal property is at the mercy of a tax assessor, and therefore he did not see why corporations should not be exposed to the same peril. Yet undoubtedly he would be willing to have the bill amended so as to provide that there should be a State Board of Assessors to assess the value of a franchise. This would undoubtedly be one of the subjects of consideration if he should sign the Ford Franchise Tax bill, and then call a session of the Legislature to put it in a more conservative

QUESTION OF RAPID TRANSIT.

The Governor manifested interest to-day, however, chiefly in the rapid-transit situation in New-York produced by Mayor Van Wyck's veto of the Rapid Transit act. The Governor said that Mayor Van Wyck's veto of that act just!fied his (the Governor's) position of opposition to a perpetual franchise. The thought in his mind clearly was that if Mayor Van Wyck had vetoed this comparatively mild bill granting a franchise of only fifty years, what would be have done with a bill granting a franchise of per-

"I would like to point out to the friends of rapid transit," said the Governor, "that, from my point of view, my opposition to the granting of a perpetual franchise to a rapid-transit road has been vindicated. A perpetual-franchise feature in the bill would have constituted a valid objection to it, and would have justified a veto. I strongly believe that the Rapid Transit bill in its present form should become a law, and the form should now understand that on no theory of official propriety could it have been signed in that original form-granting a perpetual fran-Mayor Van Wyck's action is a vindication of those who insisted on limiting the fran-

UNDECIDED AS TO SPECIAL SESSION. The Governor was then asked by the newspacalling a special session of the Legislature for the purpose of passing a rapid-transit bill-it having been killed by Mayor Van Wyck.

"I have received a number of telegrams and letters suggesting that a special session be held to consider the rapid-transit situation," answered the Governor, "and I have been considcannot decide the question to-day."

The Governor was further asked if he considered Senator Marshall's tunnel act, signed yesterday by him, a rapid-transit bill, one that could be used by a corporation desiring to construct a rapid-transit line in New-York City. He replied that he doubted if the law could be used for any such purpose; that he did not believe the authority of the Rapid Transit Commission was superseded by it. It contained wide provisions, but not sufficiently wide, he thought, to be used for the construction of a rapid-transit

TEXT OF MARSHALL ACT. Senator Marshall's tunnel act, signed by the

Governor vesterday, is given below:

Governor yesterday, is given below:

Section 73 of Chapter 3:8 of the Laws of 1897, being the Greater New-York Charter, is hereby amended so as to read as follows:

After the approval of this act no franchise or right to use the streets, avenues, parkways or highways of the city shall be granted by the Municipal Assembly to any person or corporation for a longer period than twenty-five years, except as hereinafter provided, but such grant may at the option of the city provide for giving to the grantee the right on a fair revaluation or revaluations to renewals not exceeding in the aggregate twenty-five years. Such grant, and any contract in pursuance thereof, may provide that upon the termination of the franchise or right granted by the Municipal Assembly the plant, as well as the property of the grantee in the streets, avenues, parkways and highways, with its appurtenances, shall thereupon be and become the property of the city without further or other compensation to the grantee; or such grant and contract may provide that upon such termination there shall be a fair valuation of the plant and property, which shall be and become the property of the city on the termination of the grant or contract the plant and property are to become the city's, without money payment therefor, the city shall have the option either to take and operate the said property on its own account, or to renew the said grant for not exceeding twenty years upon a fair revaluation, or to lease the same to others for a term not exceeding twenty years upon a fair revaluation, or to lease the same to others for a term not exceeding twenty years upon a fair revaluation, or to lease the same to others for a term not exceeding twenty years upon a fair revaluation, or to lease the same to others for a term not exceeding twenty years upon a fair revaluation, or to lease the same to others for a term not exceeding twenty years if the original grant shall property it shall in that event operate heart for such plant and property in the wind make payme

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tained shall apply to consents granted to tunnel railroad corporations, and the Municipal Assembly is hereby authorized, in its discretion, to grant a franchise or right to any railroad corporation to use any of said streets, avenues, parkways or highways in the city of New-York for the construction and operation of a tunnel railroad underneath the surface thereof for the period of fifty years, and any such grant may, at the option of the city, provide for giving to the grantee the right, on a fair revaluation or revaluations, to renewals not exceeding in the aggregate twunty-five years, provided, however, that such grant shall only be made after an agreement has been entered into by such a tunnel corporation to pay to the city of New-York per cent, or so much thereof as may be, of the net profits derived from the use of any tunnel which it shall construct, after there shall have first been retained by such company from such net profits a sum equal to 5 per cent upon the sum expended to construct such tunnel. Every grant shall make adequate provision, by way of forfeiture on the grant or otherwise, to secure efficiency of public service at reasonable rates, and the maintenance of the property in good condition throughout the full term of the grant. The grant or contract shall also specify the mode of determining the valuations and revaluations therein provided for.

This act shall take effect immediately.

A good many Senators and Assemblymen were

A good many Senators and Assemblymen were here to-day who did not think the Marshall act authorizes the construction of a rapid transit

It is plain now that Tammany Hall, by Sena-tor Grady's convenient illness, postponed the consideration of the Rapid Transit bill so as to put it in Mayor Van Wyck's power.

LEGISLATORS SEE PLATT. SENATOR HIGGINS TALKS OF SUBJECTS THAT MAY COME UP AT AN EXTRA SESSION.

Politicians in this city are interested deeply in the talk about an extra session of the Legis-lature, and they believe that one is to be called by Governor Roosevelt soon. Senator Thomas C. Platt has declined to express any opinion on the subject in talks with newspaper men, but last evening he had a long conference about subjects which may be considered at an extra session. His talk was with State Senators Timothy E. Ellsworth and Frank W. Higgins and Assemblyman Jotham P. Allds, who came down from Albany, where they had been in consultation with Governor Roosevelt. William J. Youngs, the Governor's secretary, came to the city also, but he did not take any part at the conference with Senator Platt at the Fifth

Avenue Hotel last evening.

The Senator went to bed as soon as the conference ended. Senator Ellsworth declined to say anything about the extra session, except that one might be called. Senator Higgins said that he was not sure there would be an extra session, but it was his understanding that if the Legislature was called together soon the main objects to be considered would be amendments to Senator Ford's Franchise Tax bill and the passage of a new rapid-transit bill. If it were true, as reported. that Mayor Van Wyck intended to veto the Elections Commissioners bill, he said, the Legislature probably would be asked to pass the bill again. As to the passage of a State constabulary bill at the extra session, he said, it would rest entirely with Governor Roosevelt to make action on such a bill possible for the Legislature, as only legislation on subjects mentioned in the Governor's mes

tion on subjects mentioned in the Governor's message could be taken up at a special session.

Assemblyman Allds said that he thought if the Governor called for an extra session it would be to make the franchise tax bill workable. He had given warning at the time the bill was passed that it would have to be amended at another session of the Legislature if it was not vetoed. The method of ascertaining the values of the franchises to be taxed would have to be stated in amendments, he said, and there probably would be an amendment to have the tax assessed by the State Board of Taxes and Assessments and not by local boards.

Senator Elisworth and Assemblyman Allds will be in the city to-day and probably will have another talk with Senator Platt about extra session plans. Senator Higgins said he was going to meet his family at Atlantic City to-day.

WASHINGTON HOTEL-KEEPERS WIN.

JUDGE KIMBALL DECIDES THAT THEY MAY SELL LIQUOR ON SUNDAYS.

Washington, May 12.-Judge Kimball, of the Police Court, decided to-day that the sale of liquor of Sunday in Washington hotels was legal under the act of 1893. Congress at its recent session passed a law prohibiting the sale of liquor on Sundays by nakers, brewers, distillers or their agents, "or other persons or corporations," and a test case was brought, it being contended that the recent act repealed the law of 1898, which permitted the sale of fluores by hotel-keepers under certain conditions. Judge Kimball decided that the act of 1893 as it related to the sale of fluor in hotels on Sundays was not repealed by the recent act.

STRENGTH OF ELEVATED STRUCTURE.

HEALTH BOARD INSPECTORS TRYING TO DIS PROVE SHULTZ'S STATEMENTS.

ering the need and desirability of such a session. Board of Health, yesterday made public a letter but the subject is so new to me that, really, I from Dr. M. B. Feeney, Chief Sanitary Inspector, and a report of Inspectors Gardner, Brennan and Wheeler, of the Health Department, on the condition of that part of the Manhattan Elevated structure examined by them. The report of the inspectors tries to disprove the statement of J. O. Shultz Inspector of the State Railroad Commission, as to the stability of the structure. also agrees with similar reports made by the inspectors and others of the Health Department regarding the condition, in particular, of the Ninthave. line through Greenwich-st.

Dr. Feeney sent the report of the inspectors to Colonel Murphy, and with it a letter reviewing the statements of the inspectors

"Messrs. Gardner, Brennan and Wheeler show conclusively," says Dr. Feeney in his letter, "that it is utterly impossible for any one man, no matter how able he may be or how thoroughly conversant with the subject in hand, to examine and truthfully report on the conditions which obtain on the Elevated road in its entirety within the time stated in Mr. Shultz's report.

"They demonstrate once more that serious de fects existed at the time stated by Mr. Shultz in his report, which entirely escaped his attention, if

his report, which entirely escaped his attention, if alone in this inspection, and the attention of his subordinates, if he had any."

A number of photographs were sent with the report by the inspectors of the Health Department, in order to prove that the statements made by Mr. Shuliz that the connections of the drip trays with the sewer and the strength of the pillars, roadbed, rails and other things are not true. The inspectors in their report said that the lateral sway of the structure in some places was more than it should be, that cracks in the pillars existed and that some of the iron used in the construction of the line in Greenwich-st, was of inferior quality. of inferior quality.

ELEVATED'S QUARTERLY REPORT. Albany, May 12.—The Manhattan Railway Com-pany, of New-York City, filed its report for the quarter ending March 31 with the State Commissioners to-day. It shows gross earnings, \$2,342,714; op erating expenses, \$1,328,123; net earnings, \$1,014,591; other income, \$18,300; fixed charges, \$575,760; net in-come, \$378,390; same corresponding quarter of last year, net, \$474,314; surplus, \$4,519,990

MR. NICHOLS NOW A ROMAN CATHOLIC. Just before issuing a new book the Rev. C. W. de Lyon Nichols, a clergyman of the Protestant Episcopal Church, announces that he has become

a Roman Catholic. He lives at No. 110 Madisonave., was assistant at St. Thomas's Church, in New-Haven, during his diaconate, and afterward became rector of St. Stephen's Church, on Staten Island. For seven years he was chaplain in the old Department of Charities and Correction. Recently he has been assistant rector in St. Luke's Qhurch, this city. He has already published one book, called "The Greek Madonna." in which he pictured himself as the hero.

The first intimation any one had of the author's change of religious views was contained in a letter which he sent on Thursday to Bishop Potter. Mr. Nichols has resigned his priestly office in the

Nichols has resigned his priestly office in the Protestant Church, and has been received as a layman communicant in St. Stephen's Roman Catholic Church, it is said.

When Mr. Nichols was asked if he intended to enter the Catholic priesthood he declined to give a direct answer, but turned the conversation to his forthcoming book, which he has called "The Decadents." Some persons think his choice of a data for announcing his change of heart is not free from a suspicion of advertising. Others commend him for getting out of the Church promptly when he found he could no longer subscribe freely to all its tenets. They say that if others did likewise, heresy trials would be less frequent and the Church would be less often torn up internally.

REAL ESTATE EXCHANGE SALE.

At a meeting of the Board of Directors of the Real Estate Exchange yesterday the sale of its building, at No. 59 to 69 Liberty-st., to the New-York Realty, Bond, Exchange and Trust Company was formally ratified. It was also decided to return the portraits of the presidents of the Exchange which now hang in its office. These include pictures of George R. Read, E. H. Cruiksmank, H. H. Cammann and the late E. H. Ludlow. The last will be returned to Mr. Ludlow's family.

A PLEA FOR MATAAFA.

THE POWERS SAID TO BE CONFRONTED GOVERNOR GIVES REASONS FOR SIGNING WITH A SERIOUS DILEMMA IN SAMOA.

Washington, May 12.—A special plea for the cause of Matanfa has been received at the Embassies in Washington interested in the Samoan question from a rather peculiar source, namely, William Cooper, late municipal magistrate of Apia, and a person be-fleved to be a British subject living in Auckland, N. Z. Mr. Cooper's brief, which is printed, presents not only the law in the case of the kingly succesthe people and customs of Samoa. He regards the situation as extremely grave. He says the Powers have to deal with this dilemma: If they undertake

have to deal with this dilemma: If they undertake to enforce the decision of Chief Justice Chambers seating Tanu all previous scenes of bloodshed will be eclipsed, while if they fail to enforce the decision the court will be flouted with impunity.

Mr. Cooper's brief refers to the pledge given by Matasfa on his return not to interfere in the Government and also to his intimate relations with the German Government. He says the present situation is insufferable, and that there must be extensive modifications of the treaty in view of the fact that annexation of the islands by any one of the Powers is improbable.

ARMY AND NAVY ORDERS.

Washington, May 12.-The following Army and Navy orders have been issued:

Captain AMOS W. KIMBALL, assistant quartermaster will await orders for his own convenience in Sat

The following officers are, at their own request, relieved from duty at the Military Academy, West Point, upon the completion of the June examina-

tions, and will join their regiments: Captain GEORGE H. CAMERON, 4th Cavalry: Firm Lieutenant HAMILTON S. HAWKINS, 4th Cavalry. First Lieutenant JASPER P. BRADT, 19th Infantry, is relieved from recruiting service at Columbus Bar-racks, Ohio, upon arrival of his regiment at Camp Meade, and will join his company at that place.

First Lieutenant JAMES B. HUGHES, 10th Cavalry, it relieved as assistant mustering officer in connection with the muster-out of volunteer troops at Augusta, Ga., and will join his troop at Galveston, Tex. First Lieutenant ALEXANDER M. DAVIS, 4th Cavalry, is relieved as assistant mustering officer, acting assistant quartermaster, acting commissary of subsistence and acting ordnance office at Augusta, Ga., and will join his troop.

and will join his troop.

First Lieutenant ALFRED C. MERILLAT, 3d Cavalry, is transferred from Troop E to Troop H of that regiment. The following officers of the 3d Cavalry will join their troops: Captain DANIEL L. TATE, Troop E. Second Lieutenant ROBERT R. WALLACH, Troop I.

troops: Captain DANIEL L. TATE, Troop E; Second Lieutenant ROBERT R. WALLACH, Troop L: following assignments of officers to regiments are announced. Colonel THEODORE A, BALDWIN (promoted from lieutenant-colonel, 10th Cavairy), to the 7th Cavairy, vice Carroll, retired; Colonel ADNA R. CHAFFEE (promoted from lieutenant-colonel, 3d Cavairy), to the 8th Cavairy, vice Bacon, retired; Lieutenant-Colonel FRANCIS MOORE (promoted from major, 5th Cavairy), to the 10th Cavairy, vice Baldwin, promoted. He will be relieved from duty at Headquarters, Department of the Colorado, and will join his regiment. Lieutenant-Colonel HENRY W. WESSELLS, Jr. (promoted from major, 3d Cavairy), to the 3d Cavairy, vice Chaffee, promoted: Major EDGAR Z, STIEEVER (promoted from captain, 8th Cavairy), to the 3th Cavairy, vice Wessells, promoted; Captain FARRAND SAYRE (promoted from from captain, 3d Cavairy), to the 3th Cavairy, vice Wessells, promoted; Captain FARRAND SAYRE (promoted from from first lieutenant, 8th Cavairy, to the Sth Cavairy, Troop C, vice Sprole, promoted; Captain HCGH J. GALLAGHER (promoted from first lieutenant, 8th Cavairy, Troop L, vice Steever, promoted.

e following additional paymasters will be discharged from the Volunteer Army on the dates designated: Major RALPH HARTZELL, June 13; Major WILL-LAM B. DWIGHT. May 27; Major WEBSTER C. WEISS, June 13; Major HENRY J. MAY, June 13; Major PHILIP DALLAM, June 18; Major CHARLES B. MARSH, June 13; Major ROBERT B. HUSTON, June 13.

June 18, ting Assistant Surgeon JOHN A, METZGER is relieved from further duty at the Josiah Simpson General Hospital, Fort Monroe, and will proceed to Pittsburg. ee following acting assistant surgeons will proceed from their stations to the places indicated: WILLIAM J. BOYD, from Macon. Ga., to Pavilion, New-York, JOHN C, ORR, from Camp Mackenzie, Augusta, Ga., to Camp Mackenzie, Augusta, Ga., to Washington; JOHN S, SCHAUL, from Camp Mackenzie, Augusta, Ga., to Washington; JOHN S, SCHAUL, from Camp Mackenzie, Augusta, Ga., to Leechburg, Penn.

will proceed to New-York City for duty as quar-master and acting commissary on the transpor-ok, to relieve Captain CHARLES E. TAYMAN istant quartermaster.

The following officers have been promoted to the rank of commander: W. A. WINDSOR, New-York Navy Yard: H. S. ROSS, inspector, Continental Iron Works, New-York, C. R. ROELKER, Board of Inspection and Survey; J. D. FORD, J. L. HANNUM, League Island Navy Yard; J. A. B. SMITH, Norfolk Navy Yard; A. B. SHITH, Norfolk Navy Yard; J. A. B. SMITH, Norfolk Navy Yard; J. H. R. INGERSOLL, Naval Academy; A. MARX, Fourth Lighthouse District; D. KENNEDY, Eleventh Lighthouse District; J. D. J. KELLEY, New-York Navy Yard; J. F. MOSER, the Albatross; S. SCHROEDER, Washington Navy Yard; F. J. DRAKE, Mare Island Navy Yard; T. C. M'LEAN Torpedo Station; F. H. DELANO, Boston Navy Yard; C. T. FORSE, Fourteenth Lighthouse District; E. K. MOORE, Naval Academy; A. V. WADHAMS, Eighth Lighthouse District; R. WAINWRIGHT, Naval Academy, J. R. SELERIDGE, Second Lighthouse District; W. H. EVERETT, the Irla; J. A. RODGERS, Sixth Lighthouse District; J. W. CARLAN, the Cligon; G. BLOCKLINGER, the Charleston; P. GARNT, Naval Academy, J. K. COGSWELL, First Lighthouse District; F. Singer, the Manilia; A. B. SPEYERS, New-York Navy Yard; E. S. PRIME, League Island Navy Yard.

Paymaster J. H. SPEEL, detached from Navy Yard.

master J. H. SPEEL, detached from Navy Yard, League Island, May 20 and ordered to Naval Home, Philadelphia.

to Join the Annapolis.

Passed Assistant Paymaster GEORGE BROWN, Jr., detached from the Navai Station at Bremerton and ordered home to await further instructions.

Paymaster J. P. LOOMIS, detached from the Monongahela and ordered to continue duties at the Navai Academy.

Lieutenant G. P. BLOW is detached from the Navai Academy and ordered to the Monongahela.

Passed Assistant Engineer J. H. ROWEN is detached from the Scindia and ordered to the Mare Island Passed Assistant Surgeon F. M. GURLONG is detached from the Scindia and ordered to the Independence. from the semidia and ordered to the Independence.
Lieutenant J. T. SMITH is detached from the Bureau of
Equipment May 13 and ordered to the Buffalo May 15.

Pay Director T. T. CASWELL, is ordered to Washington
for examination for retirement May 15, and then home
to await orders.

Pay Inspector E. PUTNAM is ordered to the New-York Navy Yard June 1, instead of May 20.

RAILROAD INTERESTS.

HOCKING VALLEY ELECTION

The following Board of Directors of the new Hocking Valley Railway Company have been elected: C. H. Coster, Temple Bowdoin, Thomas F Ryan, C. B. Alexander, R. M. Gallaway, all of New-York; N. Monserrat and P. W. Huntington, of Columbus, Ohio, and Myron T. Herrick, of Cleve-land. Mr. Monserrat was elected president of the company.

RATE INVESTIGATION HERE.

Washington, May 12.-The Interstate Commerce Commission will begin in New-York next Monday an investigation into the export rates made by the transcontinental lines, which are the most dis-couraging feature of the present rate situation Many of the roads have represented to the Commission that they are under no obligation to publish the export rates, holding that the sixth sec of the Interstate Commerce act does not apply to these rates. The Commission, however, purposes to contest this assertion, and will make a thorough in-quiry with a view to remedying the demoraliza-tion of rates, in which all the transcontinental lines

Another conference of railway officials with the Commission began here to-day, the subject being the rate situation in the South. About twenty-five roads were represented.

DEATH OF A JAPANESE GENERAL. Washington, May 12.-A cable dispatch was received at the Japanese Legation this afternoon announcing the death of General Viscount Kawakami, chief of the headquarters staff of the Imperial Army of Japan. General Kawakami rendered

Army of Japan. General Awasami removements brilliant services to his country in the war between China and Japan as vice-chief of the headquarters staff. Having general charge of the commissariat of the Japanese Army, he made numerous trips to China in the war. He was regarded as one of the most able soldiers of his time.

HEAVY DECREASE IN EXPORTS.

Washington. May 12-The monthly statement of the exports of domestic breadstuffs, provisions, cot the Bureau of Statistics, shows as follows:

Breadstuffs, \$15,131,486; decrease as compared with April, 1808, about \$12,238,000; cattle and hogs, \$2,551,-552; decrease, \$15,500; provisions, \$12,835,850; decrease, \$1,300,000; cotton, \$7,765,881; decrease, \$3,230,000; mineral cils, \$4,257,075; increase, \$300,000; total, \$42,-32,164; decrease, \$30,000,000;

For the ten months of the present year the total exports of these products were \$617,679,967, against \$674,443,236 for the corresponding period in 1898.

TRYING TO GET MOLINEUX OUT.

It was announced that an application would be nade yesterday to the Supreme Court for a writ of habeas corpus to inquire into the detention of Roland B. Molineux in the Tombs, but Messrs. Weeks and Battle, the prisorer's counsel, took no action along that line. It was reported, however, that after some difficulty they succeeded in getting a letter into the hands of the foreman of the Grand Jury, but they refused to make its contents on the contents of the

EIGHT-HOUR BILL A LAW.

THE MEASURE.

DEFECTS POINTED OUT-FUTURE ACTION BY LEGISLATURE MAY BE RECOM-MENDED-TO COUNT AGGRE-

GATE OF WORK. Albany, May 12.-Governor Roosevelt this afternoon signed the bill of Mr. Sabine amending the eight-hour law so as to make it rigid in enforcement. With it he filed a memorandum

"This bill carried out the recommendation made in my message to the Legislature that the eightur law should be so amended as to make it effective. It will work on the whole an undoubted improvement, but unfortunately it is so drawn to emphasize, instead of eliminating, two or three of the defects in the old law. The need of the passage of this law is evident. There is at present and has long been on the statute-books an eight-hour law, but it is so easy of evasion that it has been largely inoperative. It is always detrimental to the best interests of the State to have a law on the statute-books which pretends to do something and does not do it, and this, of urse, is especially the case where it is highly important that the nominal end sought to be attained really should be attained. The general tendency toward the eight-hour working day has undoubtedly been healthful, and it is wise for the State to set a good example as an employer of both as to the number of hours of labor exacted and as to paying a just and reasonable wage. It is even more important to reach conractors who do the State work than to reach the public servants of the State proper. Cheapess secured by the employment of gangs of men under the padrone system is cheapness for which the State pays altogether too dearly, for it is obtained at the cost of the sacrifice of good citizen-It is, therefore, just that the ordinary employe of the State and of contractors who do State work should work for but eight hours and should receive a rate of wages not less than that paid for other labor of the same kind where the structure is to be put up, this not interfering with the purchase of a finished product.

EVASION OF FORMER LAW.

"The permission to work overtime for additional compensation has resulted in such widespread vasion and nullification of the purposes of the law, especially among contractors, that it is wise to take it away in most cases. Certain needed exceptions are provided for in the bill, but there are other exceptions which must be provided for by the next Legislature, if the bill is not to be a cause of needless expense to the State in variou directions. There are some forms of labor where though the man is employed on and off for more than eight hours a day, his labor is not con-"This is notably the case as regards lock-tenders

on the less-frequented canals. Curiously enough, the less work there is to do on a lock, the longer s it necessary to have the nominal hours for One of the most thoroughly satisfactory lock-tenders in the State is a woman, the widow of the former lock-tender, whose house is by the lock. It is on a canal where work is not regular, and days may pass where, all told, she may not work more than an hour or two a day. Then will come a day or two when, owing to the accident of a number of boats passing, she may work on and off though not continuously, from light to light. It would be, of course, a great injustice to her to diminish her compensation by providing for a paid substitute to do her work, and it would be a great injustice to the State to pay such a substitute in addition to paying her, when all told the aggregate of her work rarely requires her laboring eight hours all told, and never requires her laboring for eight hours continuously.

AGGREGATE OF WORK TO DE COLUMNIA work more than an hour or two a day. Then will

AGGREGATE OF WORK TO BE COUNTED. "With a shoveller, a mechanic or any other em

ploye who is employed for eight hours steadily there is difficulty; but both the law as it reads at present and the law as it will read after the signing of this bill is not framed so that the case practically continuous. Here the eight-hour law can be and shall be applied; but I shall hold under this bill, as it has been held in the past, that in the other places where the work is not continuous, intervals of rest continually interrening between the intervals of work, the aggregate of the time spent per day actually at work is to be included in the eight-hour law; in other words, that we shall not take an arbitrary stretch of eight hours, six of which the man may spend in idleness, and call them eight hours

"Another class of cases comes under the Superintendent of Public Buildings, notably in the Capitol at Albany. These employes do not average eight hours a day throughout the year, becau when the Legislature is not sitting their work when the Legislature is not sitting their work is light, but when the Legislature is sitting they are obliged on the first four days of every week to work for more than eight hours. Ordinarily, even in these cases, the average for the week will not be more than eight hours a day. Friday and Saturday being light days of labor, and it never averages eight hours a day for the year. Obviously no just purpose can be served by taking a highly paid officer, such as the Chief Enginer at the Capitol, who, during most of the year, may not be employed more than from four to six hours a day, and prohibiting him from seeing to the safety of the delicate engines under his care during the time when the Legislature and its committees are sitting in the afternoons and evenings. TRYING TO STRIKE A MEAN. TRYING TO STRIKE A MEAN.

"This difficulty will not arise under the present bill until the first of January next, and I shall, in my message to the Legislature, request them a once to amend the law so that in the case of the public servants who do not in the aggregate, during their terms of employment, work for more than eight hours a day on the average, they shall be permitted, where any emergency arises, to work for more than eight hours a day, provided always that this amount of extra work is in no case to be carried so far as to make the average per day for the term more than eight hours. The alternative to this would be putting a needless additional burden on the State or shutting down the wages of the employes during the time they are not employed for eight hours a day. It may be that the actual working of the law during the next eight months will develop some additional defects. If so, they can be remedied by the next Legislature. Until it has actually been tried it is probably impossible to say whether or not any defect beyond those indicated above will be found. In any event it is highly desirable that the principle which this law seeks to establish should be really established and that the nominal purpose of the eight-hour law should be in fact fulfilled. "THEODORE ROOSEVELT." eight hours a day on the average, they shall be

APPROPRIATION BILL SIGNED.

Albany, May 12.-The Governor this afternoon affixed his signature to the Annual Appropriation bill, the Supply, Supplemental Supply and Tax Rate bills. The only change is the vetoing of an item of \$5,000 for the rearrangement of the Senate Chamber.

Albany, May 12.-Governor Roosevelt to-day signed Assemblyman Thorn's bill, which appropriates \$156,000 for carrying on the work of com-pletion of the Eastern New-York Reformatory.

TO COMPLETE EASTERN REFORMATORY.

INCORPORATED IN THIS STATE.

Albany, May 12.-The following stock companies have been incorporated:

Algany, May 12.—The following stock companies have been incorporated:

Phillipson Manufacturing Company, of New-York, to manufacture lighting machinery; capital, 25,00°, directors, Emil Phillipson, of Elizabeth, N. J., H. C. Howells, Jr., of Tompkinsville, and Samuel S. Saddler, of Brooklyn,

Equal Realty Corporation, of Brooklyn; capital, 31,20°, directors, E. Haaschild, Charles Hommel and A. R. Stephenson, of Brooklyn,

Bahama Sponge and Trading Company, of New-York City; capital, 18,000°, directors, Franz Weissenhorn, of Green Turtle Key, and Simon Alexander and Esther A. Alexander, of New-York

New-York City Homes Company, of Brooklyn; capital, 19,000°, directors, M. L. Towns and Francis Gross, of Brooklyn, and Walter Gross, of Springfield, Queens County.

Yonkers Painting and Decorating Company; capital, 51,500°, directors, Louis Jungman, Charles M. Swedberg and W. M. Reed, of Yonkers.

New-York Sewer Construction Company, of New-York; capital, 32,000°, directors, William F. Cunningham, Phillp J. Kearns and Thomas Reagan, of New-York.

VERDICT AGAINST MR. SKINNER.

Dunkirk, N. Y., May 12.—By a decision of the State Court of Appeals, Frederick D. Light, Charles C. Parker, Daniel Scannell and Henry F. Vander-vorte will be reinstated as members of the Dunkirk yorte will be reassated as meets of the were re-moved by Charles R. Skinner, Superintendent of Public Instruction, charged with neglect of duty. They fought the case to a successful finish, getting the decision to-day.

"Zoolak," what is it? New trade name for Dr.

NERVOUSNESS IN WOMEN.

Everyone Who Has Used Paine's Celery Compound Praises It.



Every nervous person drags down the health | men and women who have yet many weeks of

Every nervous person drags down the health of the other members of the family—nervousness is contagious.

This season of the year finds women tired beyond belief.

Their nerves have suffered. They are neither good company for themselves nor for their friends.

Those who are wise are taking the most responsible of all spring remedies, are getting back their nervous vigor, their proper weight, and healthy color. Following the advice of eminent physicians everywhere, they are taking Paine's celery compound.

"We are never without Paine's celery compound in our home," says Mrs. Robert Osborn, who figures more prominently, perhaps, than any other woman in the social world of New York City to-day, "We believe it to be the most wonderful nerve invigorator obtainable. I especially recommend it to society women, fatigued by the many demands of the social season just closed, and to tired and nervous professional

MR. ORR SAYS THE CITY CAN NOW CON-STRUCT THE TUNNEL-EFFECT OF THE MARSHALL LAW.

City officials yesterday seemed to be disinclined to venture any opinions as to the effect of the Mayor's veto of the Rapid Transit bill, or as to the effect of the Marshall bill, which has become a law. The Marshall law gives to the Municipal Assembly the right to grant a tunnel franchise for a term of fifty years, with the option of renewal for twentyfive years after a revaluation. While the object of the bill was to enable the granting of a franchise for the building and operation the East River Mayor Van Wyck has become imbued with the idea that the bill will enable private capital to build an underground rapid transit road in the city without interference by the Rapid

Transit Commission. Controller Coler said yesterday that he could r tell what the effect of the Marshall bill would be on rapid transit plans. He said the city could not go ahead and build a rapid transit road until the amendment to the Constitution was carried, taking out the debts of the countles embraced in the greater city from the regular city debt.

Members of the Rapid Transit Commission were not inclined to think much harm had been done by the Mayor's veto of the Rapid Transit bill. Alexander E. Orr said:

"I do not much regret the Mayor's veto of the Ford amendments, and I do not think they would have benefited the city, and I do not believe that private capital could have been enlisted for the construction of the tunnel under a limited franchise. I regret the veto of the Commission's amendnents to provide for the construction of the tunnel in sections so that the whole debt should not be charged up against the city at one time. The Mayor's veto leaves the situation as it was some months ago. The city can now go ahead, if it wants to, and construct the tunnel itself. Perhaps. under the Marshall bill, the Municipal Assembly empowered to authorize its construction by private capital. I am glad, for the sake of Brooklyn, that the bill was passed and signed. That city can now have its tunnel across the river."

Lewis L. Delafeld, who is acting as secretary of the Rapid Transit Commission until his successor can be found, said yesterday of the Marshall bill: "This bill is an act to amend the section of the city charter providing that no franchise shall be granted by the Municipal Assembly for a period longer than twenty-five years. The amendment authorizes the Assembly to grant fifty-year franchises to construct a tunnel wholly under the city streets, with a privilege of renewal on revaluation for twenty-five years; but the amendment does not state how or by whom the revaluation shall be made, nor does it provide for any compensation to the corporation at the time when the franchise shall lapse. Under the provisions of the bill I think it will be feasible to construct short tunnels, but I do not think it will be possible to enlist private capital in large amounts, and I think that the construction of long tunnels is impossible, especially in view of the bill's failure to provide compensation. I think that the bill was offered and passed in perfectly good faith to accomplish a worthy object—the construction of a tunnel under the East River. I am glad it passed." Lewis L. Delafield, who is acting as secretary of

MEASURES SIGNED BY THE GOVERNOR. Albany, May 12.-Governor Roosevelt to-day

Signed the following bills:

Senator Ellsworth's, amending the Transportation Corporation law by permitting corporations using electricity for light, heat or power in all cities of the first class and towns and villages to supply steam to consumers from a central station through pipes laid in the public streets with the consent of the municipal authorities. igned the following bills:

Mr. Degraw's "Borough Park" bill for Brooklyn. Mr. Alids's, making the Capitol Commissioner the State architect. Mr. Harrison's, rebuilding the bridge over the anal at Chapel-st., Lockport.

SALVATION ARMY'S CERTIFICATE.

Albany, May 12-Pursuant to the law enacted by the State Legislature, the Salvation Army has been incorporated under the laws of the State of New-York, and has filed a certificate thereof with the Secretary of State. The property controlled by the Army and its value are as follows: Real estate, 3450,000; value of leaseholds, 122,500; value of farm colonies, 149,200; value of farm colonies leaseholds, 549,000; personal property, \$183,500; total, \$745,250. The incorporators are Frederick De Latour Booth-Tucker, commander; Edward John Higgins, secretary; William Conrad Hicks, treasurer; Alice Lewis, lieutenant-colonel, and Madison James Holmes Ferris, legal secretary. the State Legislature, the Salvation Army has been

NO ACTION ON PIERAGE REQUEST. The reported action of the North German Lloyd

nd the Hamburg-American steamship applying for pierage on the New-York side of the North River was not acted upon at yesterday's meeting of the Dock Board. It was said that at nresent there was no vacancy for either line in this

THE RAPID TRANSIT SITUATION. city. The City of Hoboken and the Hoboken Land and Improvement Company are sparing no efforts to provide the North German Lloyd with proper pierage facilities, in order to keep it in that city. It will require several years to bring about the contemplated improvements, and in the interim an effort will be made to have the North German Lloyd use a part of the Hamburg-American Line property.

property.
Within the last few months the Hamburg-American Line has invested \$500,000 in Hoboken to obtain the room it needed.

SAM HOSE'S CRIME.

AN AFFIDAVIT BY ONE OF HIS VICTIMS, THE WIFE OF THE MURDERED MAN.

Sir: In view of the appeared in the New-York papers concerning the lynching of the negro Sam Hose, near Newman, Ga., I send you the following statement. The articles have in general been severe in denouncing this transaction, but in none of them was there a full statement of the horrible crimes which that monster in human form perpetrated. Yours truly,

New-York, May 12.

Personally appeared before me Mrs. M. E. Cranford, who, on oath, says that on the night of April 12. 1896, while my husband, Alfred Cranford, my-self and children were at the supper table, Sam-Hose entered the dining-room from behind my husband with a drawn axe, which he buried in Mr. Cranford's head. Mr. Cranford fell to the floor. I cranford's head. Mr. Cranford fell to the floor. I cranford, when the negro approached me, drew the axe over my head, and said: "If you breathe I'll kill you." He then walked back to Mr. Cranford, hit him three times, with the axe in both hands, crushing the head to pieces and scattering the brains over the floor. He then walked up to me, took my baby from my arms and threw it on the floor, took me by the arm and pulled me into an adjoining room over the body of my husband. As he passed out of the dining-room with me he slapped my little four-year-old daughter down, who was screaming over her father, and told her he would kill her if she didn't hush. After he had accomplished his heliish purpose upon myself, he then compelled me to hold the lamp while he searched the house for money and valuables. He searched the house for money and valuables. He saying: "Now you can have me killed, if you want to."

Mrs. MATTIE E. CRANFORD.

Sworn to and subscribed before me this 4th day. of May, 1896.

Coweta County, Georgia.

Coweta County, Georgia.

TO SUE HER HUSBAND'S PARTNER. Mrs. Emily F. Bloodgood, the widow of John Bloodgood, who died on August 15, 1895, made an application to Justice Scott, in the Supreme Court, yesterday, through her counsel, Bankson T. Morgan, for an order to permit the examination of John D. Slayback in an action which she intends to bring against him to recover the amount of to bring against him to recover the amount of certain securities belonging to her, and which she alleges were fraudulently converted by him to his own use. Justice Scott denied the motion without costs. Mrs. Bloodgood says that her husband was a member of the firm of John Bloodgood & Co., stock brokers. Slayback being his co-partner.

> Dond's----xtract first soothes, and then permanently cures itching or intment bleeding piles, however severe. It is a

vere. It is a specific in all skin diseases, and gives quick relief in burns and bruises. Testimonials from all classes prove its efficacy. Price 50 cents; trial size 25 cents. All druggists, or sent by mail. Put up only by POND'S EXTRACT CO., 76 Fifth Av., N. Y. City. There isn't anything "just as good."

Throat, Influenza, Bronchitia, Pneumonia, Rhaum Neuralgia, Briliez, Sprains, Burns, Headache, Tool and Paint of all kinds. Internally for Molaria a Bottel Paina. RADWAY'S PILLS cure Constipation and Liver Dis Gwing to the demand for space in the Sunday Dribune, Advertisers will confer a great favor by sending in their copy at the earliest